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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,511	01/12/2000	Quinton Yves Zondervan	52817.000088	5719

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EXAMINER

FERGUSON, KEITH

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 12/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/481,511

Applicant(s)

ZONDERVAN, QUINTON YVES

Examiner

Keith T. Ferguson

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TV

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woltz et al. in view of Lazaridis et al., newly recited reference.

Regarding claims 1,5,7,15 and 19, Woltz et al. discloses an integrated message system (fig.1) comprising: at least two terminal devices (fig. 1 numbers 34 and 28 and its description and col. 3, lines 20-25) comprising a first terminal device (fig. 1 number 34) and a second terminal device (fig. 1 number 28) is a wireless terminal device (pager) (col. 3 lines 20-25); and at least one scripting agent (means) (host computer) (fig. 1 number 34 and col. 3 lines 32-42), wherein the scripting agent causes an electronic message (e-mail) that is addressed to the first terminal device to be transmitted to the wireless terminal when a bypass code is presented (a request) (col. 6 lines 49-66). Woltz et al. differs from claims 1,5,15 and 19 of the claimed

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invention in that it do not disclose at least two terminal devices associated with a common user; and at least a scripting agent cause an electronic message that is addressed to the first terminal device to be transmitted to the wireless terminal device upon a determination of substantially no user activity at the first terminal device. Lazaridis et al. teaches at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); and at least one scripting agent (redirect software) (fig. 1 number 12) cause an electronic message (e-mail) (fig. 1 A) that is addressed to the first terminal (fig. 1 number 10) device to be transmitted to the wireless terminal device (fig. 1 number 24) upon a determination of substantially no user activity at the first terminal device (col. 7 lines 24-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Woltz et al. with at least two terminal devices associated with a common user; and at least one scripting agent cause an electronic message that is addressed to the first terminal device to be transmitted to the wireless terminal device in order to tailor the receipt of an e-mail message at the user's desktop computer to be forwarded to the user's pager when the user is no longer in the vicinity of the desktop computer, as taught by Lazaridis et al..)

Regarding claims 2,3,9,10,16,17 and 19, Woltz et al. discloses an integrated message system as discussed used supra in claim 1 above. Woltz et al. differs from claim 2,3,9,10,16,17 and 19 of the claimed invention in that it does not disclose a physical monitoring device to monitor the status (a level of activity at the first device or a determination of no substantially no user activity at the first terminal device) of the common user. Lazaridis et al. teaches a physical monitoring device (Microsoft Messaging API) (MAPI) (fig. 1 number 12) to monitor the status (a level of activity at the first device or a determination of no substantially no user activity at the first terminal device) of the common user (col. 7 lines 15-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Woltz et al. with a physical monitoring device to monitor the status (a level of activity at the first device or a determination of no substantially no user activity at the first terminal device) of the common user in order to tailor and redirect an incoming electronic message based on the common user preference, as taught by Lazaridis et al..

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Regarding claims 4,6,11,13,18 and 20, Woltz et al. discloses transmitting the electronic message (all or summary messages) to the wireless terminal device after the passage of a predetermined amount of time during which the electronic message has not been opened at the first terminal device (col. 5 lines 19-24).

Regarding claims 8 and 12, Woltz et al. discloses a method for managing communications between at least two terminal devices (fig. 1 numbers 34 and 28 and its description and col. 3 lines 20-25) comprising a first terminal device (fig. 1 number 34) and a second terminal device (fig. 1 number 28), wherein at least the second terminal is a wireless terminal device (pager) (col. 3 lines 20-25), the communication management method comprising the steps of: receiving an electronic message to the first terminal device (col. 3 lines 62-67 and col. 4 lines 1-5); and transmitting the electronic message to the wireless terminal device (col. 6 lines 49-66). Woltz et al. differs from claims 8 and 12 of the claimed invention in that it do not disclose at least two terminal devices associated with a common user; and transmitting the electronic message to the wireless terminal device upon a determination of a status (a determination of substantially no user activity at the first terminal device) of the common user at the first terminal device. Lazaridis et al. teaches at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); and transmitting the electronic message to the wireless terminal device upon a determination of a status (a determination of substantially no user activity at the first terminal device) of the common user (user no longer in the vicinity of the first terminal device) at the first terminal device (col. 7 lines 24-25 and col. 7 lines 33-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Woltz et al. with at least two terminal devices associated with a common user; and transmitting the electronic message to the wireless terminal device upon a determination of a status of the common user at the first terminal device in order to tailor the receipt of an e-mail message at the users desktop computer to be forwarded to

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the users pager when the user is no longer in the vicinity of the desktop computer, as taught by Lazaridis et al..

Regarding claim 14, Woltz et al. discloses a computer usable medium having computer readable program code embodied therein for managing communications between at least two terminal devices (fig. 1 numbers 34 and 28 and its description and col. 3 lines 20-42), comprising a first terminal device (fig. 1 number 34) and a second terminal device (fig. 1 number 28), wherein at least the second terminal is a wireless terminal device (pager) (col. 3 lines 20-25), the computer readable code comprising: computer readable code for receiving an electronic message to the first terminal device (col. 3 lines 62-67 and col. 4 lines 1-5); and computer readable code for transmitting the electronic message to the wireless terminal device (col. 6 lines 49-66). Woltz et al. differs from claim 14 of the claimed invention in that it do not disclose at least two terminal devices associated with a common user; and transmitting the electronic message to the wireless terminal device upon a determination of a status of the common user at the first terminal device. Lazaridis et al. teaches at least two terminal devices associated with a common user (fig. 1 number 10 and 24; col. 7 lines 24-25 and col. 7 lines 34-37); and transmitting the

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electronic message to the wireless terminal device upon a determination of a status of the common user (user no longer in the vicinity of the first terminal device) at the first terminal device (col. 7 lines 24-25 and col. 7 lines 33-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Woltz et al. with at least two terminal devices associated with a common user; and transmitting the electronic message to the wireless terminal device upon a determination of a status of the common user at the first terminal device in order to manage the receipt of an e-mail message at the users desktop computer to be forwarded to the users pager when the user is no longer in the vicinity of the desktop computer, as taught by Lazaridis et al..

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS

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of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Application/Control Number: 09/481,511

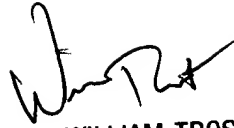
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Keith Ferguson *KF*

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December 17, 2002



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